

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

I.A.no.1 of 2018
In/&
C.C.C.A.no.347 of 2003

COMMON JUDGMENT:

This appeal, under Section 96 of the Code of Civil Procedure, 1908, is filed by the unsuccessful defendant assailing the decree & judgment, dated 01.08.2003, of the learned IV Senior Civil Judge, City Civil Court, Hyderabad, passed in O.S.no.910 of 1997.

2. When the matter is taken up for hearing, both the parties and their learned respective counsel stated that the matter is amicably settled between the parties; that the parties entered into a compromise accordingly; that the terms of compromise are reduced into writing in the form of a Memorandum of compromise; that the said Memorandum is signed by both the parties and their respective counsel; and, that the petitioner filed I.A.no.1 of 2018 along with the Memorandum of Compromise requesting to record the compromise and dispose of the appeal in terms of the compromise.

3. The parties are present before this Court. They are identified by their respective learned counsel. The parties produced their Aadhar cards in proof of their respective identities. Photostat copies of the Aadhar cards are also placed on record.

4. The parties present unanimously stated that the compromise is entered into voluntarily with free will & consent and without any pressure from any quarter. The terms of the compromise are read over and explained to the parties in the presence of their learned counsel and the same are admitted. The petitioner has stated that Rs.5,00,000/-

(Rupees five lakhs only) was paid by way of a cheque, dated 05.10.2018, drawn on State Bank of India, Personal Banking Branch, Dilshuknagar, Hyderabad, to the respondent. The respondent, in turn, stated that the cheque is cleared and that he received Rs.5,00,000/-, and that therefore, the compromise may be recorded. Therefore, this Court is satisfied that the parties have voluntarily and with free will & consent entered into the compromise.

5. Accordingly, I.A.no.1 of 2018 is allowed and the compromise is recorded.

6. In the result, C.C.C.A.no.347 of 2003 is disposed of in terms of the compromise. The Memorandum of compromise shall form part of the decree.

Pending miscellaneous petitions, if any, shall stand closed.

There shall be no order as to costs.

05th November, 2018
RAR

M. SEETHARAMA MURTI, J